

**HAMPTON BOARD OF SELECTMEN  
SELECTMEN'S MEETING ROOM  
AUGUST 28, 2006 – 7:00 PM**

**PRESENT:** Virginia Bridle-Russell, Chairman  
Ben Moore, Vice-Chairman  
James Workman  
Rick Griffin  
Bill Lally  
Mark Gearreald, Interim Town Manager  
Maureen Duffy, Administrative Assistant

**REGRETS:**

Chairman Virginia Bridle-Russell called the meeting to order at 7:08 pm and introduced those in attendance.

**SALUTE TO THE FLAG**

**I. ANNOUNCEMENTS AND COMMUNITY CALENDAR**

Mr. Moore reminded everyone about the pig roast this Saturday, September 2.

Mr. Workman announced that the American Legion POST 35 in the Hamptons will be unveiling The Global War on Terrorism Memorial Monument in dedication to all of the Veterans from New Hampshire who have lost their lives in the Global War On Terror since 09/11/01.

Mr. Workman also reminded citizens to drive carefully as school is back in session. Mr. Workman discussed the firefighter boot drive to raise money for Muscular Dystrophy.

Mr. Griffin also encouraged residents to attend the American Legion event on September 11. He also noted that there will be a public hearing regarding Aquarion Water on September 11.

**II. APPOINTMENTS**

**1 – TOWN ASSESSOR, BOB ESTEY AND FINANCE DIRECTOR, MIKE SCHWOTZER – MS1 & MS4  
SIGNING**

Mr. Estey explained that the MS1 form is used to set the tax rate. He also mentioned that there is an additional \$35.5 million in assessed values in new buildings.

**Mr. Griffin MOTIONED** to sign the MS1. **Mr. Lally SECONDED.**

**VOTE: UNANIMOUS FOR**

As the preparer of the MS4 the Finance Director Mike Schwotzer can sign it.

## 2 – TOWN PLANNER, JAMIE STEFFEN – GOVERNMENT CENTER MASTER PLANNING

The Board has asked the Town Planner, Jamie Steffen to develop a master plan for the municipal buildings along Winnacunnet Road. He is having difficulties finding the time to work on the task. Mr. Steffen believes that it is important to make certain the job is done well rather than rushing it. To ensure that the plan is completed in an effective manner, Mr. Steffen discussed the following options for the Board of Selectmen to consider:

1. **Consultant** - Hire a consultant to examine the existing facilities and property capacity. The consultant would be responsible for providing a space needs analysis in order to complete the job. The cost would be \$30,000
2. **Plan New Hampshire** – Plan New Hampshire is a nonprofit foundation formed for the purpose of supporting and preserving quality life, through planning, design, and development. The group has approximately 10 to 12 professional designers that will work with the Town to create an acceptable strategy. The expertise is estimated at approximately \$20,000 to \$30,000 for a contribution of \$2,500 to \$5,000. The Town must be approved for a grant (deadline in February) prior to being accepted into the program. There are only two to three communities chosen. Mr. Steffen's concern with using the foundation is that the project may be too complex than what the group is accustomed to.
3. **University of New Hampshire Student Project** – Hampton could utilize students to develop a plan. There would be a large number of people involved yielding many views and fresh ideas to the project. The downside to this concept would be that Mr. Steffen would need to be highly involved. This would consume a lot of his time. The result may not receive the expertise or desired plan.
4. **Rockingham Planning Commission** – The Commission assumes an advisory role to local government in order to promote coordinated planning, orderly growth, efficient land use, transportation access, and environmental protection. The Town Planner envisions committees and local official involvement.
5. **Town Planner** – Mr. Steffen feels that he could devise a Winnacunnet municipal property plan. His concern with this option is that the demand for his time is already at capacity and that he would have trouble fitting the project in among his daily tasks.

The project requires more involvement than originally thought. The Board was of the opinion that the project is too important to do a rush job and that planning efforts should be done in 2007. There was speculation that if action is required, a special Town meeting could be held.

Mr. Griffin has worked with the Rockingham Planning Commission and is not in favor of using their services due to the inefficiency of the organization. He also suggested that Mr. Steffen work on the project with the assistance of an architect.

Mr. Workman would also like to see the planning project done in a thorough methodic manner to ensure that a solid solution is developed. He also encouraged the Town Planner to find a combination of the previously mentioned options that will work best together.

Chairman Bridle-Russell mentioned that university students may bring a high level of enthusiasm to the project. It was also suggested that graduate students may also be interested in taking on the project.

### **3 – JOHN HANGEN – DRAINAGE PRIORITY LIST**

Mr. Hangen was unable to attend because of a family emergency.

### **4 – MR. & MRS. BOYNTON – SNOW PLOWING TAYLOR RIVER ESTATES**

Mrs. Mary Boynton represented the residents of Taylor River Estates. The flooding caused by the major rain storm last May resulted in the property owners incurring major unforeseen expense. Mrs. Boynton noted that Estate owners are responsible for maintaining their own water source, septic system and roads. It is anticipated that it will cost \$15,000 for the street to be plowed this winter. The residents simply cannot afford the plowing because of the financial strain the residents experience from the flood. Mrs. Boynton pointed out that many of the private roads in Hampton are plowed by the Town and that she would like to see equality for all neighborhoods. She requested that the Board consider plowing the Taylor River Estates road.

The problem of inequality of private roads was debated a few years back by the Board of Selectmen. Unfortunately the issue was not resolved and no policies developed. Interim Town Manager Mark Gearreald explained that there is a state law that municipalities are not to plow private streets unless paid. It is believed that there is a list of all the private streets that are plowed by the Town in the Manager's office.

Mr. Griffin inquired about sawhorses blocking Cole Street.

There was discussion regarding the liabilities that may be involved in plowing a private road. It is also a possibility that the Town adopt the Taylor River Estates road.

The Board also suggested that the property be assessed to determine what the increase in property taxes would be for the homeowners. The Town Assessor will be requested to provide a report.

Mr. Lally requested the Mr. Gearreald research the ramifications of plowing the Taylor River Estates road and then schedule a public hearing if needed. The Board will revisit this subject on September 11 with more information.

### **5 – FRED RICE – HAMPTON BEACH STATE PARK IMPROVEMENTS**

Hampton Area Beach Commission was formed three years ago by the state legislature to provide advice on how to implement the Hampton Beach Master Plan. Members include appointed officials from the Chamber of Commerce, Town, NH DOT, NH DRED and the Rockingham Planning Commission.

Mr. Rice announced a public hearing regarding proposed upgrades to the state parks on Wednesday, September 13 at the Ashworth Hotel and encouraged the Board to attend. He also announced the NH Department of Transportation (DOT) public hearing on September 14 at the Town Hall regarding the 1A bridge over the Hampton river.

Mr. Rice discussed the proposed Earth, Sea and Space Center. It is anticipated that the facility will attract tourists and students year around; generating revenue and prosperity for the Town. The Center is seeking a vote of commitment from the Town of Hampton prior to proceeding with the project.

The Board was very supportive of DOT strategy on reconstructing the bridge and of the proposed improvements in the beach area.

The Interim Town Manager noted that it is likely that the Earth, Sea and Space Center may also burden Town services such as the police department. It will also need to be determined if the Center will be tax exempt as a nonprofit. Mr. Rice informed the Board that there are a variety of economic development grants that the Town could apply for.

**Mr. Lally MOTIONED** to support the concept of the Earth, Sea and Space Center. **Mr. Workman SECONDED.**  
**DISCUSSION:**

In addition to the Board supporting the project it was recommended that a letter be sent to the Center outlining various caveats and contingent obligations. The Board requested a copy of the letter in draft form prior to it being mailed.

**VOTE: UNANIMOUS FOR**

In the Board's packets there is a copy of the fire station committee's report, the minority committee report and a letter from the Precinct. It was decided that the station will be discussed at a later date.

### **III. MINUTES – AUGUST 21, 2006**

Page 6 – under 95 Ashworth – the result of the vote should be 3 For and 2 Opposed (Workman & Moore)

The minutes of August 21, 2006 stand as corrected.

### **IV. OLD BUSINESS**

#### **1. INTERIM TOWN MANAGER'S REPORT**

Retiring Manager Barrington, Finance Director Mike Schwotzer, and Mr. Gearreald spent several days last week reviewing the proposed 2007 budgets of the Departments. The Board was provided with a copy of the suggested budget schedule along with the schedule of the Budget Committee's schedule and the dates for the deliberative session.

Prior to Town Manager Barrington leaving he sent a letter to School Superintendent Gaylord seeking his assistance in getting all the school's information through the Department of Education to the Department of Revenue Administration more quickly than in the past. Having that occur would assist in getting our tax rate set as early as possible, an earlier billing of our Fall property tax bills, and possibly avoiding an otherwise necessary borrowing via a tax anticipation note.

Congratulations to Liz Bailey for her successful result in the Town's behalf in the Supreme Court case of Appeal of the Town of Hampton, which came out on August 23, 2006. The case had been orally argued on June 7, 2006. In that case, the Public Employee Labor Relations Board had found the Town guilty of an unfair labor practice when former Police Chief Wren issued a memorandum to correct some information contained in an e-mail that had been issued to the entire police force by the President of the Officer's Union using the Departments official e-mail system. The Supreme Court reversed the PELRB, finding that no unfair labor practice had been committed by former Chief Wren's communication.

A "public statement hearing" has been scheduled by the Public Utilities Commission (PUC) for Monday September 11, 2006 at 6:00 PM concerning the proposed acquisition of the stock of Aquarion Water Company by Macquarie Utilities, Inc., an Australian concern. The Town of North Hampton is once again making noises about studying acquiring Aquarion. Hampton voters defeated a warrant article on the 2005 Town Meeting warrant (Article 30) that would have authorized appointment of a special committee to the possibility of Hampton's acquiring Aquarion. 76% of Aquarion's customer base is in Hampton with the 24% balance being split between North Hampton and Rye.

Residents wanting to sign the border of the Harold LaPointe painting to wish Mr. Barrington farewell may come to the Town Manager's office until the end of this week. The framed picture will be shipped down to the Barringtons at the end of this week.

### **BOARD'S RESPONSE TO THE MANAGER'S REPORT**

**Mr. Moore MOTIONED** to accept the proposed budget schedule. **Mr. Workman SECONDED.**

**VOTE: UNANIMOUS FOR**

### **2 – FIRE DISPATCH SERVICE – MEMORANDUM OF AGREEMENT WITH HAMPTON FALLS**

**Mr. Moore MOTIONED** to accept the presented agreement with Hampton Falls for the Fire Dispatch Service. **Mr. Griffin SECONDED.**

**VOTE: UNANIMOUS FOR**

### **3 – WESTPORT MOTEL – PARKING**

The Selectmen would like to discuss parking at the Westport Motel on September 11.

### **4 – USE OF TOWN BUS FOR THE SEAFOOD FESTIVAL**

The Chamber of Commerce had requested the use of the Town Bus for the Seafood Festival to transport people from remote locations. The Board was concerned about liability issues

**Mr. Griffin MOTIONED** to not grant the Chamber the use of the Hampton Recreation bus to transport the public during the Seafood Festival. **Mr. Moore SECONDED.**

**VOTE: 3 FOR  
2 OPPOSED (Lally & Workman)**

### **5 – HAPPY HAMPTON – BIG FOOT RAFFLE OR FACE PAINTING FOR DONATIONS**

There is a state law that requires charitable organizations to seek a permit from the Selectmen to sell raffle tickets. To sell tickets with out a license is considered unlawful gambling and can be criminally punishable.

**Mr. Griffin MOTIONED** to permit the Happy Hampton to accept donations for face painting during the Seafood Festival but not to grant permission for the business to sell raffle tickets. **Mr. Moore SECONDED.**

**VOTE: UNANIMOUS FOR**

## **6 – WASTE COLLECTION GRANT**

The Town's waste oil heater is on its last legs. Since the grant is under \$5,000 no public hearing is required to accept the grant.

**Mr. Workman MOTIONED** to approve applying for the waste collection grant. **Mr. Griffin SECONDED.**

**VOTE: UNANIMOUS FOR**

## **7 – P STREET PARKING ISSUE**

At previous meetings there has been discussion about the enforceability of a handicap parking sign on a private home reserving a space on the street. The sign has no authority and it is up to the Board of Selectmen to designate a handicap parking zone along the street however; this spot cannot be designated for a specific homeowner.

There was some discussion on changing the direction of the flow of traffic along P Street to accommodate parking for a homeowner along the street who lost her parking spot due to the direction of traffic. The Board would like to see continued investigation on the parking situation and Mrs. Bridle-Russell will contact the homeowner who is dealing with inadequate parking along P Street.

## **OTHER OLD BUSINESS**

**Mr. Workman MOTIONED** to dismiss the grievance dated August 18<sup>th</sup>, 2006 as it was not filed within a timely manner (7 workdays). **Mr. Moore SECONDED.**

**VOTE: UNANIMOUS FOR**

Mr. Moore asked about the construction status along Kings Highway. Mr. Gearreald will get an up-to-date report on the progress. He also inquired about the repair work on the Town Hall roof. The Building Inspector is proceeding with the job.

The Board discussed a notice about a Fishing Derby at the Yacht Club at Water's Edge. From the flyer it appears that the club is in violation of the conditions set by the Planning Board. The Board suggested a letter be sent to the Planning Board regarding the violation and have them decide how they want the situation enforced. There were also questions regarding if alcohol was sold at the Derby and if the Liquor Commission should be contacted.

The Local Government Center has received 29 applicants for the Town Manager position. The Board will be reviewing the potential candidates next Tuesday in a nonpublic session.

Chairman Bridle-Russell asked Hampton residents to be patient with the Board as no additional appointments will be made for the September 11 and September 18 meeting as they will be occupied with the budget process and manager search.

## **V. NEW BUSINESS**

There has been ongoing litigation with some property on Emerald Avenue owned by the Pacquines. The attorney representing the property owners has sent an offer to the Board for consideration.

**Mr. Moore MOTIONED** to approve the offer made by the attorney representing the Pacquines. **Mr. Lally SECONDED.**

**VOTE: UNANIMOUS FOR**

**Mr. Moore MOTIONED** to approve the request of the five interview tapes of the candidates for Executive Council in District 3 for the Rockingham Roundtable to be played on Channel 22. **Mr. Lally SECONDED.**

**VOTE: UNANIMOUS FOR**

The Finance Director Mike Schwotzer will be at the Board of Selectmen meeting on September 18<sup>th</sup>.

**Mr. Moore MOTIONED** to approve the Colby Street & Wentworth Avenue neighborhood block party subject to the permission of the fire and police departments. **Mr. Lally SECONDED.**

**VOTE: UNANIMOUS FOR**

## **VI. CONSENT AGENDA**

### **1 - Request for Sidewalk Sale – Seafood Festival 2006**

#### **2 – Sign Permit**

The sign permit was pulled from the consent agenda because of public safety and utility concerns need to be investigated further.

**Mr. Workman MOTIONED** to approve Kevin's Gift Shop Seafood Festival sidewalk sale request. **Mr. Moore SECONDED.**

**VOTE: UNANIMOUS FOR**

## **VII. - PUBLIC COMMENTS**

None

## **VIII. - CLOSING COMMENTS:**

**VI. ADJOURNMENT**

**Mr. Griffin MOTIONED** to adjourn the meeting at 9:25 PM. **Mr. Moore SECONDED.**

**VOTE: UNANIMOUS FOR**

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Chairman